

Erin Lane WSBA 42504
Law Offices of Jason S. Newcombe
1218 3rd Ave #500
Seattle, WA 98101
Phone: 206-624-3644
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Honorable Timothy W. Dore
Chapter 13
Hearing Date: 1/7/15 9:30am
Response Date: December 31, 2014
Location: US Courthouse, #8106
700 Stewart St.
Seattle, WA 98101

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

IN RE:

**Antonio Francine and Kim Nynnice
Flight,**

Debtors.

Case No. 14-16434

**HEARING NOTICE AND MOTION
FOR ORDER VACATING
DISMISSAL**

NOTICE OF MOTION AND HEARING THEREON

YOU ARE hereby notified that the hearing on the Motion for an Order Vacating Dismissal will be before the Honorable Timothy W. Dore, United States Bankruptcy Judge, on January 7, 2015 at 9:30am at the Seattle Bankruptcy Court house located at 700 Stewart St Room 8106, Seattle, WA 98101. Any objections must be served upon Erin Lane at the address set forth above no later than December 31, 2014. Objections to the motion must also be filed with the Clerk of the Court, United States Bankruptcy Court, Room 6103 700 Stewart St, Seattle, WA 98101.

YOU ARE FURTHER NOTIFIED that if no objection is received on or before said date, an Order granting debtor's motion may be entered by the Court in its discretion prior to the hearing without further notice.

DATED: 12/15/14

/s/Erin Lane

Erin Lane, WSBA #42504

- 1 - NOTICE OF HEARING AND MOTION
FOR ORDER VACATING DISMISSAL

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Attorney for Debtor

MOTION FOR ENTRY OF AN ORDER VACATING DISMISSAL

Comes Now Debtors Antonio Francine and Kim Nynnice Flight, by and through their attorney, Erin Lane, and state as follows:

1. Debtor filed a petition for relief on August 28, 2014.
2. On October 6, 2014 Debtor attended a Meeting of Creditors.
3. Debtor filed his Certificate of Financial Management on September 19, 2014.
4. On October 28, 2014 the trustee filed a Motion to Dismiss Chapter 13 Case for failure to include their second mortgage through Springleaf Financial Services in their plan payment.
5. This case was dismissed on December 12, 2014.
6. Debtor's attorney has been going back and forth with Springleaf for a Month to get a correct amount for the Debtors to bring their 2nd mortgage current. The Debtors have finally received the correct amount on December 10, 2014 and entered into a payment arrangement with Springleaf to bring their 2nd Mortgage current by December 19, 2014.
7. Debtor's attorney couldn't file an objection to the proof of claim because of the conflicting information from Springleaf, nor could Debtors attorney draft an amended plan without accurate figures.
8. Debtors have been current on their monthly plan payments.

RELIEF REQUESTED

Debtor respectfully request the court vacate the order of dismissal of December 12, 2014.

- 2 - NOTICE OF HEARING AND MOTION
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DATED this 15th day of December, 2014.

/s/Erin Lane
Erin Lane, WSBA #42504
Attorney for Debtors

- 3 - NOTICE OF HEARING AND MOTION
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